

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION and

THE PEOPLE OF THE STATE OF  
NEW YORK, by LETITIA JAMES,  
Attorney General of the State of  
New York,

Plaintiffs,

v.

QUINCY BIOSCIENCE HOLDING  
COMPANY, INC., a corporation;

QUINCY BIOSCIENCE, LLC, a  
limited liability company;

PREVAGEN, INC., a corporation  
d/b/a SUGAR RIVER  
SUPPLEMENTS;

QUINCY BIOSCIENCE  
MANUFACTURING, LLC, a  
limited liability company; and

MARK UNDERWOOD, individually  
and as an officer of QUINCY  
BIOSCIENCE HOLDING  
COMPANY, INC., QUINCY  
BIOSCIENCE, LLC, and  
PREVAGEN, INC.,

Defendants.

Case No. 1:17-cv-00124-LLS

**PLAINTIFFS' REVISED TRIAL  
EXHIBIT LIST**

Pursuant to this Court's Order granting leave to amend at the February 15, 2024 Pre-Trial Conference, Plaintiffs, the Federal Trade Commission and the People of the State of New York, by Letitia James, Attorney General of the State of New York, respectfully submit the attached

revised trial exhibit list. Attached as **Exhibit 1** is a list of exhibits Plaintiffs intend to introduce at trial, including those exhibits to which the Defendants have objected.<sup>1</sup>

Dated: February 20, 2024

FEDERAL TRADE COMMISSION

/s/ Andrew Wone

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PEOPLE OF THE STATE OF NEW  
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<sup>1</sup> As stated in their last exhibit list filing (ECF No. 390), Plaintiffs have removed from their exhibit list the FDA Warning Letter that was the subject of Defendants' First Motion in Limine (ECF No. 345), and Quincy's response thereto, based on the parties' representations that they would not introduce evidence of or elicit testimony relating to those documents or the FDA Close-Out Letter (ECF No. 346-1) during the jury trial. However, as stated in Plaintiffs' response to Defendants' First Motion in Limine (ECF No. 357 n.2), Plaintiffs reserve the right to seek to use those documents as exhibits in the event Defendants introduce, and the Court admits, evidence relating to the Close-Out Letter. *See also* Jan. 8, 2024 Order on Mots. in Lim. (ECF No. 379) at 3 (noting the parties' agreement and reserving decision on the motion for trial “[f]ailing that resolution”).

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20th day of February, 2024, I have caused service of the foregoing Plaintiffs' Revised Trial Exhibit List to be made by electronic filing with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic Filing to all counsel of record.

Dated: February 20, 2024

/s/ Andrew Wone  
Andrew Wone  
Federal Trade Commission